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Mailed: March 4, 2000

PATENT

JC997 U.S. PTO
10/091901
03/04/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Donald E. Weder)	Dkt. No. 8403.519
)	
Serial No.:	Not Yet Assigned)	
)	
Filed:	Herewith)	
)	
For:	DECORATIVE GRASS HAVING A)	
	THREE-DIMENSIONAL PATTERN)	
	AND METHOD FOR PRODUCING)	
	SAME)	

**Box Patent Application
Commissioner for Patents
Washington, D.C. 20231**

INFORMATION DISCLOSURE STATEMENT

**List of Sections Forming Part of This
Supplemental Information Disclosure Statement**

The following sections are being submitted for this Supplemental Information Disclosure Statement:

1. [X] Preliminary Statements
2. [X] FORM PTO-1449 (Modified)
3. [X] Statement as to Information Not Found in Patents or Publications
4. [X] Identification of Prior Application in Which Listed Information was already cited and for which no copies are submitted or need to be submitted

Applicant: Donald E. Weder
For: DECORATIVE GRASS HAVING A THREE-DIMENSIONAL
PATTERN AND METHOD FOR PRODUCING SAME
Atty. Dkt. No. 8403.519

- 5. ☒ Copies of Listed Information Items Accompanying this Statement

- 6. ☒ Identification of Person(s) Making this Information Disclosure Statement

Section 1. Preliminary Statements

Applicant submits herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this supplemental information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this supplemental information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Form PTO-1449 (Modified)

☒ A completed Form 1449 (Modified) is attached hereto.

☐ No Form 1449 (Modified) is attached.

Section 3. Statements as to Information Not Found in Patents or Publications (Information not listed in PTO 1449 (Modified))

Applicant admits that floral groupings, such as cut flowers, have been wrapped in the past with green paper and floral paper having a printed design (Weder brochure), that such floral groupings have

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been enclosed in sleeves, including sleeves having perforations such that a portion of the sleeve can be torn away, and that wall paper has been flocked to provide the three-dimensional patterns. However, Applicant is not aware of any prior art, including the listed patents which disclose, teach or even suggest a method for providing a decorative cover about a floral grouping, comprising: providing a sheet of material having a three-dimensional printed pattern thereon wherein the three-dimensional pattern is produced by application of a foamable ink composition to the sheet of material; providing a floral grouping having a bloom end and a stem end; and wrapping the sheet of material having the three-dimensional pattern printed thereon about the floral grouping to provide the decorative cover for the floral grouping.

Applicant also admits that flower pots containing live or artificial plants, have been wrapped in the past with floral paper having a printed design; that such flower pots have been enclosed in sleeves, including sleeves having perforations such that a portion of the sleeve can be torn away, and that wall paper has been flocked to provide a three-dimensional patterns. However, Applicant is not aware of any prior art, including the listed patents, which discloses, teaches or even suggests a method for forming a preformed pot cover for a flower pot, by: providing a flower pot; providing a sheet of material having a three-dimensional printed pattern thereon wherein the three-dimensional pattern is produced by application of a foamable ink composition to the sheet of material; forming the sheet of material into the preformed pot cover comprising a base and a skirt; and positioning the flower pot in the pot receiving space of the preformed pot cover leaving the open upper end substantially uncovered.

Applicant admits that decorative grass and packing materials have heretofore been made of paper and polymeric materials which are shredded and cut into segments.

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Applicant admits holograms are well known. Applicant admits holograms have been used on such things as credit cards and greeting cards. However, Applicant is not aware of any instance wherein decorative papers having a holographic design thereon have been used to produce decorative grass or decorative packing material.

Section 4. Identification of Prior Application In Which Listed Information was already cited and for which no copies are submitted or need to be submitted

This application relies, under 35 U.S.C. §120, on the earlier filing date of prior application Serial No. 09/753,789, filed on January 3, 2001. The attached listed references were submitted to and/or cited by the Office in this prior application. Therefore, copies are not submitted herewith.

Section 5. Copies of Listed Information Items Accompanying this Statement

The above listed references were submitted to and/or cited by the Office in the prior application on U.S. Serial No. 09/753,789. Therefore, copies are not submitted herewith.

Section 6. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of the information:

☒ [X] supplied by the inventor(s)

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☐ supplied by an individual associated with the filing and prosecution
of this application (37 C.F.R. § 1.56(c)).

☒ in the attorney's file

Respectfully submitted,



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Attorney for Applicant

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	Not Yet Assigned	
			Filing Date	Herewith	
			First Named Inventor	Donald E. Weder	
			Group Art Unit		
			Examiner Name		
Sheet	1	of	9	Attorney Docket Number	8403.519

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	1	RE31,780		Cooper et al.	12/25/1984	
	2	557,526		EGGE	03/31/1896	
	3	732,889		Paver	07/07/1903	
	4	1,525,015		Weeks	02/03/1925	
	5	1,863,216		Wordingham	06/14/1932	
	6	1,978,631		Herringer	10/30/1934	
	7	2,032,386		Wood	03/03/1936	
	8	2,048,123		Howard	07/21/1936	
	9	2,170,147		Lane	08/22/1939	
	10	2,240,072		Hodgdon et al.	04/29/1941	
	11	2,278,673		Savada et al.	04/07/1942	
	12	2,371,985		Freiberg	03/20/1945	
	13	2,411,328		MacNab	11/19/1946	
	14	2,510,120		Leander	06/06/1950	
	15	2,529,060		Trillich	11/07/1950	
	16	2,544,075		Ernst et al.	03/06/1951	
	17	2,621,142		Wetherell	12/09/1952	
	18	2,774,187		Smithers	12/18/1956	
	19	2,822,287		Avery	02/04/1958	
	20	2,846,060		Yount	08/05/1958	

FOREIGN PATENT DOCUMENTS							T6
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Office ³	Number ⁴				
	21		0,142,867	EPO	05/29/1985		
	22		1,166,692	Ger	03/26/1964		
	23		1,204,647	UK	09/09/1970		
	24		5,575,466	Jap	06/06/1980		
	25		6,215,672	Jap	09/22/1987		
	26		9,003,412	PCT	04/05/1990		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

PTO/SB/08B (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
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		Application Number	Not Yet Assigned		
		Filing Date	Herewith		
		First Named Inventor	Donald E. Weder		
		Group Art Unit			
		Examiner Name			
Sheet	2	of	9	Attorney Docket Number	8403.519

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	a	Brochure, "The Simple Solution For Those Peak Volume Periods" Highland Supply Corp. ©1989	
	b	Speed Sheets & Speed Rolls Brochure, Highland Supply Corporation, ©1990, 2 Pgs.	
	c	LePlant SAC Advertisement, published prior to Sept. 26, 1987	

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		Number	Kind Code ² (if known)			
	47	3,514,012		Martin	05/26/1970	
	48	3,549,405		Schrenk et al.	12/22/1970	
	49	3,554,434		Anderson	01/12/1971	
	50	3,616,192		Sinclair	10/26/1971	
	51	3,630,366		Parkinson et al.	11/16/1971	
	52	3,681,105		Milutin et al.	08/01/1972	
	53	3,749,629		Andrews et al.	07/31/1973	
	54	3,757,990		Buth	09/11/1973	
	55	3,808,024		Witman	04/30/1974	
	56	3,865,664		Neumann	02/11/1975	
	57	3,922,440		Wegwerth et al.	11/25/1975	
	58	3,927,821		Dunning	12/23/1975	
	59	3,950,290		Drury, Jr. et al.	04/13/1976	
	60	3,951,892		Drury, Jr. et al.	04/20/1976	
	61	3,962,503		Crawford	06/08/1976	
	62	4,054,697		Reed et al.	10/18/1977	
	63	4,055,613		Kapral	10/25/1977	
	64	4,068,030		Witman	01/10/1978	
	65	4,162,343		Wilcox et al.	07/24/1979	
	66	4,189,868		Tymchuck et al.	02/26/1980	

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		Number	Kind Code ² (if known)			
	127	5,369,934		Weder	12/08/1994	
	128	5,381,642		Weder et al.	01/17/1995	
	129	5,388,386		Weder	02/14/1995	
	130	5,388,695		Gilbert	02/14/1995	
	131	5,403,259		Parker	04/01/1995	
	132	5,408,803		Weder et al.	04/25/1995	
	133	5,428,939		Weder et al.	07/04/1995	
	134	5,443,670		Landau	08/22/1995	
	135	5,448,875		Weder	09/12/1995	
	136	5,456,056		Weder	10/10/1995	
	137	5,459,976		Weder	10/24/1995	
	138	5,465,551		Weder	11/14/1995	
	139	5,467,573		Weder et al.	11/21/1995	
	140	5,509,251		Weder et al.	04/23/1996	
	141	5,526,632		Weder et al.	06/18/1996	
	142	5,533,319		Weder	07/09/1996	
	143	5,533,320		Weder	07/09/1996	
	144	5,537,799		Straeter	07/23/1996	
	145	5,537,800		Weder	07/23/1996	
	146	5,573,491		Parker	11/01/1996	

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